

THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE:

GARY D. WHITE

CASE NO. 10-30078

CHAPTER 13

18111 HOLLOW OAK COURT

DALLAS TX
A/K/A
D/B/A

75287

JUDGE: BARBARA J. HOUSER

HEARING DATE: Mon May 10, 2010

MOTION TO DISMISS CHAPTER 13 CASE OR IN THE ALTERNATIVE REDUCE ATTORNEY
FEES FOR FAILURE TO CONFIRM AND NOTICE OF HEARING THEREON

Now comes the Office of the Chapter 13 Trustee, Dallas and files this Motion pursuant to Section 1307(C) of the Bankruptcy Code and Bankruptcy Rule 9014; and would respectfully show unto the Court as follows:

This case should be dismissed or in the alternative attorney fees reduced for one or more of the following causes:

 X Failure to Obtain Confirmation.

 X Confirmation has been denied.

Wherefore, your Trustee prays that after notice and hearing, this Chapter 13 case be dismissed or in the alternative reduce attorney fees.

Office of the Chapter 13 Trustee, Dallas

BY: /s/ Thomas D. Powers

Thomas D/ Powers/State Bar No. 16218700
125 E. John Carpenter Freeway
Suite 1100
Irving, TX 75062
(214) 855-9200/Fax (214) 965-0758

DEBTOR(S) ATTORNEY
JOYCE W LINDAUER
8140 WALNUT HILL LANE
SUITE 301
DALLAS TX

75231

Notice of Hearing

To the Debtor(s) and the Debtor's(s') Attorney of Record:

You are notified of the filing of the foregoing Motion of Trustee to Dismiss Chapter 13 case for the reason(s) therein stated. A pre-hearing conference on the Trustee's Motion will be held on Mon May 10, 2010 at 8:30 A.M. at Suite 1100, 125 E. John Carpenter Freeway, The Eleventh Floor, Irving, Texas 75062. Motions not resolved/defaulted at the pre-hearing conference will be held by the Court at 2:00 PM on the same day at 1100 Commerce Street, the Fourteenth Floor, Dallas, Texas 75242-1496. You do not have to attend the pre-hearing conference or hearing unless you oppose dismissal of the case.

Certificate of Service

I hereby certify that a copy of the foregoing Motion to Dismiss Chapter 13 Case and Notice of Hearing thereon was served on the following parties at the addresses listed below by United States First Class Mail:

DEBTOR(S): GARY D. WHITE, 18111 HOLLOW OAK COURT, , DALLAS TX, 75287

DEBTOR(S) ATTORNEY: JOYCE W LINDAUER, 8140 WALNUT HILL LANE, SUITE 301, DALLAS TX, 75231

CREDITORS: COUNTY OF DALLAS, CO LINEBARGER GOGGAN BLAIR, 2323 BRYAN STREET SUITE 1600, DALLAS TX, 75201-2644
PITE DUNCAN LLP, 4375 JUSTLAND DR STE 200, PO BOX 17935, SAN DIEGO CA, 92117-0935

Dated: March 31, 2010

By: /s/ Thomas D. Powers